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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,419	02/04/1999	TAKESHI KAMIMURA	Q053219	3733

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EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/244,419	KAMIMURA, TAKESHI
	Examiner Madeleine AV Nguyen	Art Unit 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.

- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____ .

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-13 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

 a) All b) Some * c) None of:

 1. Certified copies of the priority documents have been received.

 2. Certified copies of the priority documents have been received in Application No. _____ .

 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

 a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> .	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 10, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakita (US Patent No. 5,956,681).

Concerning claim 1, Yamakita discloses an image workflow system for use in transferring through a network, an operation document image extracted from an operation document which is featured by a species, a destination and an operation to be handled to the operation document comprising a workflow table (Fig. 10) which stores the species, the destination and the operation assigned to each operation document; and an image identifying host for identifying the species of the operation document from the operation document image to retrieve the species stored in the workflow control table in response to the identified species, to automatically recognize the corresponding destination and operation, and to transmit a recognized result to the network.

It is noted that Yamakita teaches a host unit 108 and does not mention that the host unit 108 is a server. However, Yamakita teaches that the host unit 108 is for recognizing the received speech data, converting the recognized speech data into document data, extracting a specific word from the converted document data, and generating formatted document data having a predetermined format by inserting the extracted word into a specified field of the

converted document data and transmitting the generated formatted document data through the communication network. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to consider the host unit 108 is an image identifying server since it identifies the species of the operation to automatically recognize the result and transmit the recognized result to the network. That can read on the function of the claimed server.

Concerning claims 2-8, 10, Yamakita further teaches an input device coupled to the host unit to supply the operation document as the operation document image (121, 119; Fig. 1); the recognized result is transmitted to the network together with the operation document image in the form of a packet; one terminal which includes a destination terminal as the destination and which is coupled to the network; the operation document image is processed on the basis of the operation designated by the recognized result, as the destination terminal which receives the operation document image; the host unit identifies the species of the operation document by using text recognition, an image pattern; the destination terminal automatically activates a program performing the corresponding operation to the recognized result when the terminal receives the operation document image; the packet is transmitted from a first terminal to a second terminal after processing of the packet at the first terminal (Figs. 1, 3, 5-7, 9-11; Abstract; col. 4, lines 14-67; col. 11, lines 39-65; col. 19, lines 12-26; col. 20, line 31 – col. 23, line 7); col. 41, lines 12-52).

Claim 12 is method claim of apparatus claim 1. Claim 12 is rejected as claim 1 respectively.

Concerning claim 13, Yamakita discloses a computer readable medium with the claimed subject matter as discussed in claim 1 above.

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3. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakita as applied to claim1 above, and further in view of Amberg et al (US Patent No. 5,410,416).

Concerning claims 9 and 11, Yamakita does not teach that the host unit transmits the packet to a plurality of destination terminals simultaneously and the host unit observes efficiency of a plurality of terminals and selects one of the terminal which have the lowest efficiency. Amberg et al discloses a simultaneous multi-access low speed/high speed, multi-delivery fax gateway for improving the efficiency of long-distance fax communications by simultaneously receiving a plurality of low-speed faxes, bundling them into a single fax for transmission to a common distribution, and transmitting the single fax as a high-speed fax to the destination. At the destination, the high-speed fax is received, unbundled into its constituent faxes, and the constituent faxes are distributed as low-speed faxes to a plurality of recipients (Fig. 1; Abstract; col. 1, line 43 – col. 2, line 18; col. 2, line 45 – col. 4, line 51). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the teaching in Amberg et al to the host unit 108 in Yamakita since Yamakita also teaches that “To enable access to the speech control host unit 108 or the like in PHS speech communication as well, the mobile terminal 101 may have, e.g., a two channel simultaneous communication function.” (col. 19, lines 17-20) that would allow simultaneous communication between a plurality of terminals wherein a destination with less time consuming can be determined.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Powell et al (US Patent No. 6,317,650) discloses a system and method employing portable cards for monitoring a commercial system.
 - b. Honda (US Patent No. 6,020,885) teaches three-dimensional virtual reality space sharing method and system using local and global object identification codes.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.



AV
November 30, 2001

Madeleine AV Nguyen
Primary Examiner
Art Unit 2622